IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE K.C. BHANU

WRIT PETITION NO: 3041 of 2005

Between:

1. B. Ganga Janardhan, S/o. Ramulu, Sub-Engineer,
O/o. A.E (O), Northern Power Distribution Company Of Andhra Pradesh Limited, Korutla (Rural), Karimnagar.
2. P. Divakar Rao, s/o. Janardhan Rao, Sub-Engineer,
O/o. A.E (O), Northern Power Distribution Company Of Andhra Pradesh Limited, Metpally (Rural),
Karimnagar district.

... PETITIONERS

AND

1. The Northern Power Distribution Company of A.P. Limited, Warangal
Rep. by its Chairman & Managing Director.
2. The Chief General Manager (HRD),
Northern Power Distribution Company of A.P. Limited, Warangal.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ or order or direction, especially one in the nature of Writ of Mandamus: i) declaring the action of the respondents in not considering petitioners cases for promotion to the post of AAE duly considering the training period of Sub-Engineer to wards the seniority as illegal and arbitrary. ii) consequently direct the respondents to promote the petitioners as AAE on par with other candidates basing on the process of selection initiated vide Memo.No.CGM (HRD) GM(8)/AS.1/F.Sub-Er/365-PO.1/04,dt.25-06-2004 read with Memo No. CGM(HRD) GM(8)/ AS.1/F.Sub-Er/365-PO.1/04, dt.13-07-2004duly granting all other consequential benefits.

Counsel for the Petitioner: MR. K. VASUDEVA REDDY

Counsel for the Respondents: MR.SAMINENI KISHORE

The Court at the admission stage made the following:

ORDER: -

This writ petition is filed seeking *mandamus* declaring the action of the respondents in not considering the case of the petitioners for promotion/placement to the post of AAE duly considering the training period of Sub-Engineer service, as illegal and arbitrary and consequently direct the respondents to promote/place the petitioner as AAE on par with other candidates basing on the process of selection initiated vide Memo No.CGM(HRD) GM(8)/AS.1/F.Sub-Er/365-PO.1/04, dated 25-06-2004 read with Memo No.CGM (HRD) GM(8)/AS.1/F.Sub-Er/365-PO.1/04, dated 13-07-2004 duly granting all other consequential benefits.

2. On instructions the learned Counsel for the respondents contended that there is no such move for filling up the posts by promotion to the cadre of AAE, and in case, any list is prepared the same will be communicated to all the persons.

3. Recording the submissions, the writ petition is disposed of directing the respondents that any promotion or any other mode of filling of the post shall be done only after finalization of the seniority list.

It is made clear that the interim orders granted earlier are not extended

K. C. BHANU, J

Dt.24-02-2005

Note: Issue CC in two days.

B/o
Glv

Copies to:

1. The Chairman & Managing Director,
The Northern Power Distribution Company of A.P., Ltd., Warangal

2. The Chief General Manager (HRD), Northern Power Distribution Company of A.P. Ltd, Warangal.

3. Two C.D.Copies.